

LANKLER SIFFERT & WOHL LLP  
ATTORNEYS AT LAW

500 FIFTH AVENUE  
NEW YORK, N.Y. 10110-3398  
WWW.LSWLAW.COM

TELEPHONE (212) 921-8399  
TELEFAX (212) 764-3701

December 8, 2017

**BY ECF:**

Honorable Valerie E. Caproni  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

**Re: United States v. Percoco, et al., S2 16 Cr. 776 (VEC)**

Dear Judge Caproni:

We represent Peter Galbraith Kelly, Jr. in the above-referenced matter and write on behalf of Mr. Kelly and co-defendants Joseph Percoco, Steven Aiello, and Joseph Gerardi.

We respectfully request that the Court allow us to arrange for the provision of secure high-speed wired Internet access in the courtroom during trial and for both an in-court and a remote Real Time transcript feed that can be viewed by members of the defense team inside and outside of the courthouse during trial. Subject to Your Honor's approval, the defense will retain Courtroom Connect to provide these services, a vendor who has a contract with the Southern District of New York to be the exclusive provider of Internet access for attorneys. Courtroom Connect does not require any court resources to provide service, and has already installed the necessary network infrastructure in the court that is completely independent of the Court's existing systems. Courtroom Connect only needs the permission of the Court to temporarily activate connections inside the courtroom. This will be done at no cost to the Court.

The following describes how Courtroom Connect restricts access to the network and ensures compliance with court security and directives:

- The network will be a hard-wired, secure physical network connection utilizing a firewall and other security provisions.
- Onsite support, maintenance, monitoring, off-site user authentication, and many other measures are provided to ensure the highest levels of security and reliability.

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- The network is totally separate from the court's internal network; it is therefore physically impossible for information on the court's existing systems to be accessed or compromised.

We are advised that Courtroom Connect will make all necessary arrangements with the Court's District Executive Office and computer networking personnel. Jeff Gibbs (phone: 877-838-9067 ext. 112) from Courtroom Connect is available to answer any questions.

Many trials in federal courts throughout the country have utilized high-speed connection to the Internet in the courtroom. Courtroom Connect has provided services on a number of trials before the Southern District of New York, including *United States v. Silver*, No. 15 Cr. 93 (VEC).

We also respectfully request that the Court assign the defense a break-out room for use during trial. We ask that this break-out room be able to accommodate the four defense teams, a computer, and a printer (which the defense will provide) and contain space to store boxes of documents. We additionally ask that, if possible, the defense is assigned to a break-out room in which we are able to lock the door when not in use.

Accordingly, we respectfully request that the Court allow Courtroom Connect to provide us with secure high-speed wired Internet access in the courtroom and break-out room, and to permit Courtroom Connect to proceed to make proper arrangements with the District Executive Office and the official court reporter.

Respectfully submitted,

LANKLER SIFFERT & WOHL LLP

By: /s/ Daniel M. Gitner  
Daniel M. Gitner  
Jun Xiang  
Rachel S. Berkowitz

CC:

All Counsel (via ECF)